

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**NOLANA JOHNSON, ON BEHALF
OF HERSELF AND ALL OTHERS
SIMILARLY SITUATED,**

PLAINTIFF

V.

**THE ELEVANCE HEALTH
COMPANIES, INC.,**

DEFENDANT

CA NO. 3:25-cv-184-E

AGREED MOTION TO EXTEND DEADLINES

Plaintiff Nolana Johnson files this agreed Motion to extend the deadlines in the Initial Scheduling Order entered by the Court (ECF No. 13) by approximately 60 days.

I. REQUEST FOR EXTENSION OF DEADLINES

1. This case is brought under the Fair Labor Standards Act, 29 U.S.C. § 201, *et seq.*, as amended (“FLSA”). Plaintiff pleaded her FLSA claims collectively under 29 U.S.C. § 216(b). Plaintiff alleges that Defendant failed to pay her and similarly situated workers at the overtime rate required by the FLSA, 29 U.S.C. § 207.

2. On April 23, 2025, the Court entered a Briefing Schedule (ECF No.13).

3. The Parties have been working diligently to comply with the Court's Briefing Schedule. However, due to delays in obtaining and producing documents and data (a process that is still ongoing) the Parties will be unable to complete the Phase I Discovery by the September 2, 2025 deadline.

4. Plaintiff thus files this Motion, with the agreement of the Defendant, requesting a 60 day extension of the following deadlines set forth in the Initial Scheduling Order:

| <u>Deadline</u> | <u>Deadline (Original)</u> | <u>Extended Deadline (Requested)</u> |
|--|---------------------------------------|---|
| Pre-notice discovery and Deadline to file Joint Advisory | September 2, 2025 | October 31, 2025 |
| Motion for FLSA Notice | September 23, 2025 | November 21, 2025 |
| Response to Motion to Authorize Notice | October 14, 2025 | December 12, 2025 |
| Reply to Response to Motion to Authorize Notice | October 28, 2025 | December 29, 2025 |

II. ADDITIONAL TIME IS NEEDED TO DEVELOP THE FACTS

5. As of the time of the filing of this Motion, the Parties have sent written discovery requests to each other. Due to the time required to gather the information necessary to respond to the written discovery, the Parties have not been able to schedule depositions or see if additional documentary evidence is required.

6. Plaintiff thus respectfully request a sixty (60) day extension of the pre-notice discovery deadline, the Motion for FLSA notice, the Response and Reply dates. Plaintiff submits that additional time is necessary to complete this phase of the case.

7. Plaintiff makes this request in good faith and in the interests of justice and judicial economy.

III. PRAYER

Accordingly, Plaintiff Nolana Johnson respectfully jointly request this Court grant her Agreed Motion to Extend Phase One Discovery Deadlines in this matter.

Respectfully submitted,

WELMAKER LAW, PLLC

/s/ Douglas B. Welmaker

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COUNSEL FOR PLAINTIFF

CERTIFICATE OF SERVICE

I certify that on August 14, 2025 the above document will be filed via CM/ECF, which will cause a copy to be served on all counsel of record.

/s/ Josef F. Buenker

Josef F. Buenker